

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: BIOPURE CORPORATION)
SECURITIES LITIGATION)
)
)
)

Master Docket No. 03-12628 (NG)

DEFENDANTS' LOCAL RULE 16.1(D)(3) CERTIFICATION

The undersigned hereby certify pursuant to Local Rule 16.1(D)(3) that they have conferred (a) with a view to establishing a budget for the costs of conducting the full course - and various alternative courses - of litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4. These issues have been discussed with Biopure Corporation, and throughout the course of the litigation the undersigned counsel have communicated and will communicate consistently with individual defendants regarding settlement, insurance coverage, defense costs, and alternative dispute resolution programs.

Dated: April 24, 2006.

COUNSEL FOR DEFENDANTS,

/s/ Robert A. Buhlman

Robert A. Buhlman, BBO # 554393
Bingham McCutchen LLP
150 Federal Street
Boston, Massachusetts 02110-1726
(617) 951-8000

COUNSEL FOR HOWARD P. RICHMAN,

/s/ Cathy A. Fleming

Cathy A. Fleming
Edwards Angell Palmer & Dodge LLP
750 Lexington Avenue
New York, NY 10022
(212) 308-4411

COUNSEL FOR RONALD F. RICHARDS

/s/ Christopher F. Robertson

Christopher F. Robertson
Seyfarth Shaw, LLP
World Trade Center East
Two Seaport Lane, Suite 3000
Boston, MA 02210
(617) 946-4800

BIOPURE CORPORATION,
By its authorized representative:

/s/ Zafiris G. Zafirelis

Zafiris G. Zafirelis
Chief Executive
Officer Biopure Corporation
11 Hurley Street
Cambridge, MA 02141
(617) 234-6500